

**Ministry of Economic Development and Technology of the Republic of Slovenia, Kotnikova ulica 5, Ljubljana,**

**publishes**

**PUBLIC CALL FOR PROMOTING THE RE-ESTABLISHMENT OF SLOVENIA’S AIR CONNECTIVITY**

1. **Legal basis**

Budget of the Republic of Slovenia for 2020 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 75/19 and 133/20), Budget of the Republic of Slovenia for 2021 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 75/19), Implementation of the Republic of Slovenia's Budget for 2020 and 2021 Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 75/19, 61/20 – ZDLGPE and 133/20), Promotion of Tourism Development Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 13/18), Public Finance Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 11/11 – official consolidated text, 14/13-corr., 101/13, 55/15-ZFisP, 96/15-ZIPRS1617 and 13/18; hereinafter: ZJF), Regulation on the procedure of standards and manners to allocate means for the promotion of development programmes and preferential tasks (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 56/11) and the Strategy for the Sustainable Growth of Slovenian Tourism for 2017–2021 (<https://www.gov.si/assets/ministrstva/MGRT/Dokumenti/turizem/Strategija-trajnostne-rasti-slovenskega-turizma-2017-2021/Strategija-trajnostne-rasti-slovenskega-turizma-2017-2021.pdf>), Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352, 24.12.2013, p. 1) (hereinafter: Commission Regulation 1407/2013/EU), Aid scheme "Programme for Implementing Financial Incentives MGRT – de minimis" (notification no.: M001-2399245-2015/I), Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91 I, 20.3.2020, including amendments; hereinafter: Temporary Framework), Act Determining the Intervention Measures to Mitigate and Remedy the Consequences of the COVID-19 Epidemic (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 80/20), Provisional Measures for Mitigation and Elimination of Consequences Act COVID-19 (Official Gazette of the Republic Slovenia [*Uradni list RS*], No. 152/20), Programme for Implementing Financial Incentives COVID-19 of the Ministry of Economic Development and Technology No. 303-21/2020/1 of 23 April 2020 with all amendments.

1. **Name or title and the head office of the budget user allocating the funds**

State budget user: Ministry of Economic Development and Technology of the Republic of Slovenia, Kotnikova ulica 5, 1000 Ljubljana (hereinafter: the Ministry).

1. **Purpose, objective and subject of the public call** 
   1. **Purpose and objective of the public call**

The purpose of this public call is to improve Slovenia’s air connectivity with European and other countries.

The objective is to maintain the current regular international airlines and promote the establishment of new regular airlines by air carriers who ceased flying to the Republic of Slovenia due to the consequences of the pandemic.

At the onset of the COVID-19 pandemic in March 2020, Slovenia adopted a number of measures to protect citizens’ health, including the Ordinance on the temporary prohibition of conducting public passenger transport in the territory of the Republic of Slovenia, and it terminated air passenger transport on 17 March 2020. The Government of the Republic of Slovenia cancelled the prohibition of conducting international air passenger transport as of 12 May 2020. Air transport was severely restricted in Europe and around the world due to the consequences of the COVID-19 epidemic and Slovenia was no exception. When air travel was banned, tourist flow came to a complete halt and was severely reduced both before and after that period. The remaining types of transportation were significantly limited to passengers due to closed borders throughout Europe. Air carriers implementing flights to Slovenia gradually returned to the international Ljubljana Jože Pučnik Airport in May and June. Despite the spring/summer schedule of flights, when a larger number of carriers flew to Slovenia with an increased flight frequency, mostly on the account of a strong impact of tourist flows, the number and frequency of flights decreased significantly when compared to 2019. From the onset of the COVID-19 epidemic until today, the scope of flying by foreign air carriers to and from Slovenia depended mostly on the easing of restrictions when crossing borders and other restrictive measures in individual countries relating to the epidemiological situation in receptive and emitting markets and thus tightly linked demand for flights. While observing the absence of a national air carrier, Slovenia is currently experiencing a very slow recovery and kick-start of air passenger transport. If twelve foreign air carriers were regularly flying to Slovenia according to the autumn/winter timetable in addition to charter flights at the start of 2020, there were only nine such carriers in September and six in October. In 2019, 17 foreign carriers flew to Slovenia, some even on several different routes and multiple times a week.

Slovenia is additionally faced with a unique situation of losing its long-term national air carrier, Adria Airways, in 2019, which transported approximately one half of all passengers at the Ljubljana Airport. Although, Slovenia has three public airports for international air transport, i.e. Ljubljana Jože Pučnik Airport, Maribor Edvard Rusjan Airport and Portorož Airport, only Ljubljana Jože Pučnik Airport operates smoothly with charter flights and scheduled airlines. In 2019, some 1,727,136 passengers[[1]](#footnote-1) were transported to and from Ljubljana Jože Pučnik Airport, which is five per cent less than in 2018. There were 31,489 or 11.3 per cent less aircraft movements. The above drop in air transport is attributed to the bankruptcy of the national air carrier, Adria Airways. In the segment of air passenger transport, Slovenia thus became completely dependent on foreign carriers.

When the Ordinance prohibiting international air services in the Republic of Slovenia (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 66/20 of 16 March 2020) entered into force on 17 March 2020 due to the COVID-19 epidemic, air transport was evidently lagging behind. In March 2020, the number of air passengers decreased by more than 70 and 60 per cent compared to March 2019. In April and May, the number of passengers reduced by 99.80 per cent (April) and 99.90 per cent (May), while the number of aircraft movements reduced by 79.80 per cent (April) and 77.60 per cent (May) when compared to the same period in 2019. This trend continued in June when the number of passengers and aircraft movements reduced by 97.20 per cent or 72.30 per cent, respectively despite the lifting of restrictions on travel compared to June 2019. The situation did not improve significantly in July and August.

As a small open economy, Slovenia is an exceptionally export-oriented country, since the domestic market with little more than two million inhabitants does not enable sufficient domestic consumption. The Slovenian economy thus greatly depends on international trade and is subject to every change in business development of foreign partner countries. As a result, each drop in exports significantly affects the competitiveness of the Slovenian economy. The COVID-19 epidemic impacted the entire real sector in Slovenia, especially the mobility and international trade. Air transport is also a strategically important sector on the global scale, which contributes substantially to the overall economy of the Union, and to direct and indirect employment with more than five million jobs. It contributes EUR 365 billion to the European gross domestic product, which amounts to 2.41 per cent of the Union’s GDP[[2]](#footnote-2).

International air transport and international connectivity of the Slovenian economy are of general economic significance for Slovenia, as they impact the development of the economy in the entire territory of Slovenia.

Air transport connects Slovenia with the international business environment and enable a tourist flow of passengers, particularly from the European and other remote markets. It is of the utmost economic importance that Slovenia maintains regular airlines with the most visible European centres and strategic foreign markets, such as Germany, France, Benelux, Switzerland, Great Britain, Russia, the south-east Balkans and other foreign markets. Connections with the relevant destinations are currently enabled only by foreign air carriers who have no interest in increasing their frequency of flights due to the severe decline in air passenger transport.

The tourism and transport branches, particularly air transport, are among the most affected industries globally with regard to the COVID-19 epidemic. Airlines are crucial for the kick-start of tourist activities. Tourism is one of the key economic industries in Slovenia, since before the pandemic it was generating more than twelve per cent of the Slovenian gross domestic product. Slovenian tourism mostly depends on the travel of foreign tourists, who generate as much as 75 per cent of all tourist arrivals and 72 per cent of overnight stays in Slovenia. Furthermore, the neighbouring Italian market, with one of the largest epidemic hotspots in Europe, is considered one of the three most important foreign markets for Slovenia, which is why a drastic decline in demand from this market is being recorded. Almost half of overnight stays by foreign visitors (47.9 per cent) in 2019 was accounted for by tourists from six countries: Germany (13.4 per cent of all overnight stays by foreign visitors), Italy (11.2 per cent), Austria (8.9 per cent), the Netherlands (5.1 per cent), Croatia (4.7 per cent) and the Czech Republic (4.5 per cent). Almost one quarter of all foreign visitors arrive in Slovenia by air in the main (summer) season, which is why Slovenia’s accessibility by means of air transport is key for further kick-start and enhancement of the tourism industry.

Official statistical data show that 40 per cent less overnight stays were recorded between January and August 2020 than in the same period of 2019. The share of overnight stays by foreign visitors amounted to 72 per cent in 2019, while this share dropped by 39 per cent in the first eight months of 2020. Compared to 2019, Slovenia recorded a 70 per cent decline in the arrival of foreign guests and a decline of 68 per cent in overnight stays by foreign visitors. Slovenia records a 55.34 downturn in inflow generated by travel exports between January and July 2020.

We established that due to the geographical position, proximity of larger international airports (Venice, Vienna, Graz, Zagreb) and the small size of the country, a unique drop in the arrival of foreign guests has been recorded this year and consequently a drastic decline in revenue and cash flow in air transport, as well as in its dependant tourism industry, a situation which was last experienced in Slovenia due to the independence war in 1991 when it also gained independence.

The absolute short-term priority for Slovenia are measures for a gradual kick-start of the economy and stabilisation of the economic and social situation, which must be designed in such a way so as to be directed as much as possible towards resolving Slovenia’s key development challenges, the first one being acceleration of productivity growth. From Slovenia’s development aspect, a comprehensive transport system, including air transport, plays a key role for economic integration in the international sphere, especially for the promotion of tourist arrivals to Slovenia.

* 1. **Subject of the public call**

The subject of the call involves co-financing of the costs incurred by air carriers when providing flights and transporting passengers to the Republic of Slovenia.

1. **Target groups/beneficiaries**

Air carriers currently implementing or those which will be implementing air operations (scheduled flights) at one or more airports in the Republic of Slovenia (hereinafter: Slovenia) can apply to this call.

Air carriers only implementing charter flights at airports in Slovenia are not eligible to apply to this public call.

**5. Conditions for application**

The applicant’s application shall meet all the conditions of the public call.

The meeting of conditions must be evident from the content of the entire application. If the application fails to meet all conditions, it shall be rejected.

If failure to meet the conditions is determined after the decision on the selection of the operation is issued, the contract on co-financing of the operation shall not be concluded, and the decision on the selection of the operation will be revoked or annulled.

If failure to meet the conditions is determined after the contract on co-financing is signed, the Ministry may withdraw from the contract on co-financing the operation, whereby the beneficiary will be obliged to return the funds that have already been received together with statutory default interest from the day the funds were transferred to their bank account to the day the funds are returned to the budget of the Republic of Slovenia.

* 1. **General conditions for application**

General basic conditions that applicants must meet on the day their application is submitted include:

1. The applicant holds traffic rights to perform scheduled international passenger air transport on the tendered route.
2. The applicant holds all authorisations to perform scheduled international passenger air transport (air operator’s certificate – AOC; insurance policy as per Regulation (EC) No 785/2004[[3]](#footnote-3); operating licence or permits from a third-country operator if the applicant has their head office in a third country (TCO – third country operator certificate)).
3. The applicant is not on the European Commission’s list of air carriers that do not meet air safety standards published at https://ec.europa.eu/transport/modes/air/safety/air-ban/search\_en.
4. When allocating the aid, the rule of state aid cumulation is observed – the total amount of state aid for the project in connection with the same eligible costs shall not exceed the amount of state aid as determined by the state aid scheme of the Programme for Implementing Financial Incentives MGRT – de minimis (notification no. M001-2399245-2015/I) or in the event of approval by the European Commission relating to the notified Slovenia’s scheme based on Point 3.1 of the Temporary Framework (notification no. SA.59124).
5. The applicant was not an undertaking in difficulty as per Point 18 of Article 2 of Regulation 651/2014/EU[[4]](#footnote-4) as of 31 December 2019.
6. The applicant does not have to return unjustifiably received state aid on the basis of a European Commission decision that declared the state aid received as illegitimate and incompatible with the Union's common market.
7. For receiving documents, the applicant has authorised a legal entity or a natural person with a business address or residence in the Republic of Slovenia (person authorised to accept service of documents),[[5]](#footnote-5) or has a subsidiary in the Republic of Slovenia.
8. The applicant does not have due financial liabilities arising from compulsory levies and other non-tax obligations according to the act governing financial administration that are collected by the tax authority (in the amount of EUR 50 or more on the day of the submission of the application); it is considered that the applicant, as a business entity, has not fulfilled its obligations if it has not provided all accounts of the withholding tax on income from employment for the last year up to the day of submission of the application[[6]](#footnote-6).
   1. **Special conditions for application** 
      1. **Special conditions for applicants applying for the first deadline**

* The applicant performed air operations in passenger transport (scheduled flights) in airports in Slovenia any time between 1 March 2020 and 30 September 2020.
  + 1. **Special conditions for applicants applying for the second deadline**
* The applicant performed air operations in passenger transport (scheduled flights) in airports in Slovenia any time between 1 October 2020 and 31 May 2021.
  + 1. **Special conditions for applicants applying for the third deadline**
* The applicant performed air operations in passenger transport (scheduled flights) in airports in Slovenia any time between 1 June 2021 and 30 September 2021.

To prove the meeting of the conditions, the applicant must sign Form No. 2 in the form of a statement (Statement of the applicant on the fulfilment and acceptance of the conditions by means of which they confirm the fulfilment and acceptance of the conditions for the application to this public call under criminal and material responsibility). Form No. 2 is an integral part of the public call.

In the case of doubt relating to the meeting of conditions, the Ministry may request additional clarifications or evidence.

* 1. **The applicant’s obligations regarding the maintenance of airlines**

Applicants applying for the first and second deadlines shall be obliged to implement scheduled passenger lines at least twice a week for two months at one of the Slovenian airports in the period between 28 March 2021 and 30 October 2021 (i.e. during the summer air season). Applicants applying for the third deadline shall be obliged to implement scheduled passenger lines twice a week at one of the Slovenian airports in the period between 31 October 2021 and 31 December 2021.

These obligations shall not apply in the case of extraordinary circumstances linked to a poor COVID-19 epidemiological situation in the country from which an individual air carrier flies and in Slovenia, which significantly impacts the possibility of implementing the contractual commitment.

1. **Criteria for evaluating applications and the selection procedure**

Applications to the public call shall be reviewed by the expert committee appointed by the minister competent for economic development and technology.

In the first phase, the expert committee will examine formal completion of the applications. Applicants who submit formally incomplete applications will be invited to supplement them. The applications may be supplemented within eight working days from the receipt of the notification. Applications that will not be supplemented within the deadline shall be dismissed.

As per the Regulation on the procedure of standards and manners to allocate means for the promotion of development programmes and preferential tasks (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 56/11), the applicant cannot change:

1. the amount of requested funds,
2. the part of the application relating to technical specifications of the subject of the application,
3. the elements of the application that result in, or could result in, a different ranking of their application with respect to the other applications received by the Contracting Authority in the procedure of allocating funds.

If the applicants change the aforementioned sections of the application, the statements provided in the first version of the application shall be observed.

In the second phase, the expert committee will examine the meeting of the conditions for applying. Applications that do not meet the conditions for applying and applications not compliant with the subject of the call shall be dismissed. Complete applications that meet the conditions and are compliant with the subject of the call shall be evaluated by the expert committee as per the criteria provided below.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Criteria** | **No. of points** | **Max. no. of points** |
| 1.1 | **Countries covered by the applicant/air carrier** |  | **20** |
|  | On the day that the application is submitted, the applicant performed the activity of air passenger transport (scheduled flights) in more than 10 countries |  | 20 |
|  | On the day that the application is submitted, the applicant performed the activity of air passenger transport (scheduled flights) in between 5 and 9 countries |  | 15 |
|  | On the day that the application is submitted, the applicant performed the activity of air passenger transport (scheduled flights) in no more than 4 countries |  | 10 |
| 1.2 | **Regions where the applicant operates** |  | **20** |
|  | The applicant performs the activity in the European Union and non-EU European countries, and implements intercontinental flights |  | 20 |
|  | The applicant performs the activity in the European Union and non-EU European countries |  | 15 |
| **1.3** | **Timetables of scheduled flights** |  | **20** |
|  | The applicant flies to Slovenia at least 5 times a week |  | 20 |
|  | The applicant flies to Slovenia 2 to 4 times a week |  | 15 |
|  | The applicant flies to Slovenia once a week |  | 10 |
| **1.4** | **Adjustment of business operations due to the COVID-19 epidemic** |  | **10** |
|  | The applicant observes the recommendations of measures to ensure passenger safety and health |  | 10 |
|  | The applicant does not observe the recommendations of measures to ensure passenger safety and health |  | 0 |
| **TOTAL** |  |  | **70** |

The maximum number of points is 70.

The threshold above which co-financing shall be granted is **35** points. The applications shall be ranked as per the number of points received after evaluation is complete. Applications that do not receive 35 points shall be dismissed. The funds shall be distributed as per the methodology to all applications that receive at least 35 points.

1. **Amount of funds available**

A total framework amount of funds planned or forseen for the implementation of the relevant public call in 2020 and 2021 is **EUR 5,000,000.00.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Budget item** | **2020** | **2021** | **Total** |
| 200486 – Promotion of Slovenia’s air connectivity – COVID-19 | EUR 1,500,000.00 |  | EUR 1,500,000.00 |
| Promotion of Slovenia’s air connectivity – COVID-19 |  | EUR 3,500,000.00 | EUR 3,500,000.00 |
| **Total** |  |  | **EUR 5,000,000.00** |

For co-financing applications submitted for the first deadline, EUR 1,500,000.00 shall be available; for applications submitted for the second deadline, EUR 2,300,000.00 shall be available, and for applications submitted for the third deadline, EUR 1,200,000.00 shall be available.

The amount of funds available within the second and third deadlines for the submission of applications (including the transfer of funds) may change as per the publication of the change to the public call on the Ministry’s website until the issue of decisions on the selection/non-selection at individual opening of applications.

The Ministry’s payments depend on the availability of budgetary resources and the Ministry’s programme for this purpose.

The Ministry reserves the right to change or revoke the public call or an individual deadline for the submission of applications at any time until the issue of decisions on (non)allocation of funds with a publication in the Official Gazette of the Republic of Slovenia.

1. **Period within which the allocated funds must be spent**

The eligibility period is:

– from 1 March 2020 to 30 September 2020 for applications submitted for the first deadline,

– from 1 October 2020 to 31 May 2021 for applications submitted for the second deadline,

– from 1 June 2021 to 30 September 2021 for applications submitted for the third deadline.

The funds for 2020 in the amount of EUR 1,500,000.00 must be used (and paid) until 31 December 2020 (for the first deadline). The funds for 2021 in the amount of EUR 3,500,000.00 must be used until 31 December 2021 (the second and third deadlines).

The funds for co-financing will be distributed for the first deadline in compliance with the methodology to the applicants which will ensure scheduled flights to airports in Slovenia between 1 March 2020 and 30 September 2020. Funds will be distributed for the second deadline to the applicants providing flights between 1 October 2020 and 31 May 2021, and for the third deadline between 1 June 2021 and 30 September 2021, and which will meet the conditions of the call and attain a sufficient number of points at the evaluation of applications.

1. **The scheme and compliance with the state aid rules**

The co-financing within the public call shall be implemented on the basis of the notified aid scheme, "Programme for Implementing Financial Incentives MGRT – de minimis" (notification no.: M001-2399245-2015/I) (hereinafter: de minimis state aid scheme). If, at the time of issue of the decision on selection or later, but nevertheless during the validity of the Temporary Framework, the European Commission has already approved the notified scheme, SA.59124, the allocated state aid shall be included in the quota of the permitted COVID-19 aid as per Point 3.1 of the Temporary Framework instead of the de minimis quota.

The Ministry strives to attain approval of the COVID-19 state aid scheme as per paragraph one of this point as soon as possible after the publication of the relevant call.

The aforementioned means that the beneficiary as per the relevant public call will be either allocated state aid within the COVID-19 state aid quota according to Point 3.1 of the Temporary Framework, or else within the *de minimis aid quota*. The situation when the allocated aid is not included in the COVID-19 state aid quota, but rather in the *de minimis* aid quota can occur if the European Commission fails to approve the notified scheme, or if the European Commission approves this scheme, but the allocation of the aid for an individual deadline would take place later than the current period of validity of the Temporary Framework (this is currently until 30 June 2021), and also if the applicant had already attained the COVID-19 state aid quota as per Point 3.1 of the Temporary Framework and would be able to take advantage of the available quota to receive *de minimis aid* at one of the later deadlines. In any case, the aid shall be allocated for each individual deadline as per Point 3.1 of the Temporary Framework or according to the *de minimis* rule*.*

The total amount of aid allocated to a single undertaking on the basis of the *de minimis* rule shall not exceed the maximum aid intensity or the amount of state aid as determined by the *de minimis* state aid scheme. The total amount of aid allocated to a single undertaking/beneficiary on the basis of the *de minimis* rule shall not exceed EUR 200,000.00 in any period of three business years. The year of the approval of the relevant aid is considered the first year. The total sum of aid allocated to a single undertaking/beneficiary on the basis of Point 3.1 of the currently applicable Temporary Framework shall not exceed the sum determined in the Temporary Framework (EUR 800,000.00 at the time of publication of the public call). The aid shall be allocated before the date of expiry of the validity of the Temporary Framework, which is 30 June 2021 at the time of publication of the public call.

As per Regulation 1407/2013/EU, the definition of a single undertaking is observed. A single undertaking is defined as all enterprises within the same Member State, having at least one of the following relationships with each other:

* one enterprise has a majority of the shareholders’ or members’ voting rights in another enterprise,
* one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise,
* one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association,
* one enterprise, which is a shareholder in or a member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders’ or members’ voting rights in that enterprise.

Enterprises with any of the relationships referred to in the points above through one or more other enterprises shall also be considered to be a single undertaking.

1. **Eligible costs, amount and method of co-financing**

The eligible amount of costs refers to the costs incurred by the beneficiary to ensure the flight and transport passengers to Slovenia.

In their applications, the applicants shall not provide the requested amount of co-financing. The latter is allocated in the form of a lump sum as per the calculation methodology.

The data on flights implemented by individual air carriers and the number of passengers transported to Slovenia in an individual eligible period confirmed by the operator of the airport in Slovenia shall serve as the basis for calculating the amount of co-financing, whereby flights contribute 50 per cent and the number of passengers contributes 50 per cent to the amount that an individual undertaking can receive. The calculation includes undertakings submitting their applications for the call while meeting the conditions of the call and reaching the threshold with the number of points required for approval of co-financing.

If a beneficiary obtains the highest possible amount of co-financing as per this call (according to the state aid rules), they shall not be entitled to apply to the next application submission deadline.

**Incentive calculation methodology for air carriers**

The amount of co-financing eligible costs shall be determined by the committee while observing the calculation methodology on the basis of applications meeting the selection criteria and the data from airport operators on flights implemented and passengers transported to Slovenia as per applicants in the eligible period determined in Chapter 5.2 for individual opening of applications.

|  |  |
| --- | --- |
| **Subject of evaluation** | **Percentage (max.)** |
| Number of passenger flights to Slovenia | 50% |
| Number of passengers transported to Slovenia | 50% |
| **Total (P):** | 100% |

The share represented by the applicant’s contribution in the total number of flights implemented and passengers transported by all applicants meeting the selection criteria in the eligible period determined for individual opening of applications is calculated.

The aggregate share as per the total number of flights implemented and the share as per the total number of passengers transported by an individual applicant serves as the basis for calculating the amount of co-financing.

The sum of both shares for each applicant multiplied by the available funds is the amount of co-financing received by an individual applicant while observing the limitation of co-financing to no more than EUR 30 per transported passenger per applicant.

The highest amount of co-financing is additionally limited by means of a maximum amount that an applicant can receive in compliance with the state aid rules (defined in Chapter 9).

**Example of calculating a co-financing amount:**

This is based on all flights performed by the applicants meeting the selection criteria in the eligible period, which represent 100 per cent of flights, and we calculate the share of flights contributed by an individual applicant. The calculated share is multiplied by 50 per cent to ensure that flights contribute 50 per cent to the amount of co-financing.

|  |  |  |  |
| --- | --- | --- | --- |
|  | No. of flights | % of no. of flights | Weight 50% |
| Applicant 1 | A | A/(A+B+C) | A/(A+B+C) \* 50% |
| Applicant 2 | B | B/(A+B+C) | B/(A+B+C) \* 50% |
| Applicant 3 | C | C/(A+B+C) | C/(A+B+C) \* 50% |
| Total | A+B+C |  |  |

The same calculation is made on the basis of data on passengers transported to Slovenia by an individual applicant.

|  |  |  |  |
| --- | --- | --- | --- |
|  | No. of passengers | % of no. of passengers | Weight 50% |
| Applicant 1 | X | X/(X+Y+Z) | X/(X+Y+Z) \* 50% |
| Applicant 2 | Y | Y/(X+Y+Z) | Y/(X+Y+Z) \* 50% |
| Applicant 3 | Z | Z/(X+Y+Z) | Z/(X+Y+Z) \* 50% |
| Total | X+Y+Z |  |  |

Both shares thus acquired are added up.

|  |  |  |  |
| --- | --- | --- | --- |
|  | 50% flights | 50% passengers | 100% |
| Applicant 1 | A/(A+B+C) \* 50% | X/(X+Y+Z) \* 50% | A/(A+B+C) \* 50% + X/(X+Y+Z) \* 50% |
| Applicant 2 | B/(A+B+C) \* 50% | Y/(X+Y+Z) \* 50% | B/(A+B+C) \* 50% + Y/(X+Y+Z) \* 50% |
| Applicant 3 | C/(A+B+C) \* 50% | Z/( X+Y+Z) \* 50 % | C/(A+B+C) \* 50% + Z/( X+Y+Z) \* 50% |
| Total |  |  |  |

The funds available for an individual deadline are multiplied by the share attained by an individual applicant, and the result is the amount of funds that the applicant receives.

The funds for co-financing will be transferred to the beneficiaries on the basis of issued requests for payment in a single amount after submission and approval of payment requests.

1. **Deadlines and manner of applying to the public call**

Deadlines for submitting applications are: **9 November 2020** (for the first opening of applications), **10 June 2021** (for the second opening) and **11 October 2021** (for the third opening).

Applications must be submitted to: Ministry of Economic Development and Technology, Kotnikova ulica 5, 1000 Ljubljana. The application can also be submitted electronically in a pdf format to: avio.mgrt@gov.si.

Applications submitted by the relevant dates during business hours to the Ministry’s mailroom (at the reception) or mailed by registered post by the relevant dates or submitted (by midnight) by e-mail shall be considered timely. All three manners of submitting the application are equally valid. If the application is submitted by mail, the date evident on the post stamp on the envelope shall be observed, which must not be later than the deadline set for the submission of applications. If the date on the post stamp is not legible and in the case of direct submission of the application at the Ministry’s head office, the date entered on the Ministry’s statement on the receipt of the mail shall apply, which must also not be later than the deadline set for the submission of applications.

The application to the call must be submitted in a sealed envelope marked on the front with no abbreviations: "NE ODPIRAJ – VLOGA NA JAVNI RAZPIS LETALSKA POVEZLJIVOST (DO NOT OPEN – APPLICATION TO AIR CONNECTIVITY PUBLIC CALL)", with the full title and address of the applicant. Applications submitted electronically must state in the subject of the communication the following: "VLOGA NA JAVNI RAZPIS LETALSKA POVEZLJIVOST (APPLICATION TO AIR CONNECTIVITY PUBLIC CALL)".

Submission of the application indicates that the applicant is acquainted with the content and specifications of the public call and they are deemed to have accepted them.

A complete application shall include all application forms, which must be signed and stamped (if the applicant does not operate by using a stamp, this must be provided) and requested annexes.

##### Applicants may submit their applications in Slovenian (additionally also in English).

The contract shall be concluded in Slovenian (additionally also in English). In the event of a lack of clarity, the text in Slovenian shall take precedence with regard to the interpretation of contractual provisions.

1. **Opening applications for the allocation of funds**

All applications arriving on time at the Ministry’s address irrespective of the method of delivery shall be considered upon every deadline. Applications arriving after an individual deadline shall not be opened, but are instead rejected based on a decision and returned to the applicant.

At the opening, the expert committee examines the completeness of the applications received.

Within eight days after opening the applications, the expert committee shall ask in writing (by e-mail) the applicants to supplement their incomplete applications. When supplementing, the applicant must not change the amount of requested funds, the section of the application relating to technical specifications of the subject of the application or the elements that affect or could affect the ranking of their application as per other applications that the Ministry received in the procedure of allocating funds. The deadline for supplementing applications may not be more than eight (8) days. Incomplete applications that the applicants fail to supplement in accordance with the request for supplementation shall be rejected with a decision.

The expert committee for the allocation of funds shall use the evaluation criteria when examining all formally complete and suitable applications. Any application that fails to meet the conditions from specifications is rejected as unsuitable.

1. **Personal data protection and business secret**

The protection of personal data provided by the applicants shall be ensured by the Ministry as per the applicable legislation that governs personal data protection, including the General Data Protection Regulation (GDPR). The document is an annex to the public call.

All data in applications opened by the committee is public information, except for data marked by the applicant separately, i.e. confidential business information, personal data and other exceptions under Article 6 of the Public Information Access Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 51/06 – official consolidated text, 117/06 – ZDavP-2, 23/14, 50/14, 19/15 – Constitutional Court Decision and 7/18; hereinafter: ZDIJZ), which are not publicly accessible and must not be disclosed or made public. A business secret may refer to an individual piece of information or a section of the application, but it cannot refer to the entire application. The applicant must explain why a piece of information must not be publicly accessible as public information. If the applicant fails to mark and explain such data in the application, the Ministry shall assume that the application according to the applicant contains no confidential business information or other exceptions under Article 6 of the ZDIJZ.

The purpose of processing personal information submitted to the Ministry by the applicants is to implement the public call and manage data, records, analyses and other databases for the Ministry and supervisory bodies on the result of the public call and the implementation of the contract on (co-)financing. Furthermore, the purpose of processing personal data is also to prepare studies and evaluations, cooperate and prepare or draft applications in procedures before competent authorities (proceedings before judicial, investigation and other competent authorities). Personal data are also processed for the purpose of efficient operation of information systems or aids used by the Ministry or which the Ministry is obliged to use.

The data on co-financed operations for which this is determined by regulations or which are considered public information will be published. The list of applicants that will include applicants’ names, the title of the operation, applicants’ programme area and the amount of public funds used for financing the operation shall be published. The publication of information on operation, applicants and funds shall be implemented as per the ZDIJZ.

1. **The deadline by which the applicants will be informed about the result of the public call**

Applicants shall be informed about the result within thirty (30) days from the date of opening the applications.

Based on the decision on selection, the applicants shall be invited to sign the contract and submit the request. If the selected applicant fails to respond to the invitation within eight days of receiving it, it shall be understood that they withdrew the application.

By filing a lawsuit with the Administrative Court of the Republic of Slovenia, an administrative dispute may be instigated against the decision on (non)selection within thirty (30) days from the receipt of the decision. The criteria set for evaluating applications cannot be the subject of the lawsuit. The filed lawsuit shall not suspend the conclusion of contracts on co-financing with other applicants.

The results of the relevant public call are considered public information and will be published on the Ministry’s website.

1. **Availability of specifications**

All relevant data and instructions enabling the drafting of a complete and correct application for the allocation of funds are provided in the specifications published on the MGRT website from the day of publication of the public call: <https://www.gov.si/drzavni-organi/ministrstva/ministrstvo-za-gospodarski-razvoj-in-tehnologijo/javne-objave/>

1. **Additional information**

Additional information relating to the preparation of applications and clarifications of the specifications is available to applicants on the basis of a written request submitted to e-mail: [avio.mgrt@gov.si](mailto:avio.mgrt@gov.si) with note: JR spodbujanje letalske povezljivosti (PC promotion of air connectivity).

Potential applicants can find regularly updated information at <http://www.mgrt.gov.si/>.

Number: 4300-12/2020-5

Zdravko Počivalšek

Minister

1. <https://www.fraport-slovenija.si/sl/podjetje/financna-porocila/> [↑](#footnote-ref-1)
2. <https://ec.europa.eu/transport/modes/air_en> [↑](#footnote-ref-2)
3. Regulation (EC) No 785/2004 of the European Parliament and of the Council of 21 April 2004 on insurance requirements for air carriers and aircraft operators [↑](#footnote-ref-3)
4. Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014, p. 1) last amended by means of Corrigendum to Commission Regulation (EU) No 2017/1084 of 14 June 2017 amending Regulation (EU) No 651/2014 as regards aid for port and airport infrastructure, notification thresholds for aid for culture and heritage conservation and for aid for sport and multifunctional recreational infrastructures, and regional operating aid schemes for outermost regions and amending Regulation (EU) No 702/2014 as regards the calculation of eligible costs (OJ L 26, 31.1.2018, p. 53). [↑](#footnote-ref-4)
5. The person authorised to accept service of documents is required to accelerate the procedures of discussing the application when the head office of the potential applicant is located abroad. [↑](#footnote-ref-5)
6. Only for applicants registered in Slovenia. [↑](#footnote-ref-6)